

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



IN THE MATTER OF
THE EXTRADITION OF
ALI MOSHIR TO CANADA

)
) Case No. 16M -5084
)
) FILED UNDER SEAL
)

COMPLAINT FOR ARREST WITH
A VIEW TOWARD EXTRADITION (18 U.S.C. § 3184)

I, the undersigned Assistant United States Attorney, being duly sworn, state, on information and belief, that the following is true and correct:

1. In this matter, I represent the United States in fulfilling its treaty obligation to the Government of Canada.

2. In accordance with Article 11 of the Treaty, on April 5, 2016, Canada asked the United States for the provisional arrest of Ali Moshir ("Moshir"), with a view toward his extradition. Moshir's date of birth is September 19, 1972. He is an Iranian citizen. A photograph of Moshir is attached as Exhibit A.

3. Moshir currently is being held in ICE ERO Batavia Federal Detention Facility in Batavia, NY, on immigration charges.

4. The basis for the provisional arrest request is summarized as follows:

5. On January 29, 2016, Canadian Justice of the Peace Cottrell issued a warrant for arrest, charging Moshir with criminal harassment, in violation of section 264(2) of the Criminal Code of Canada; breaking and entering, in violation of section 348(1)(a) of the Criminal Code of Canada; and unlawful presence in a dwelling house with intent to commit an indictable offense, in violation of section 349(1) of the Criminal Code of Canada. On

April 4, 2016, Canadian Justice of the Peace D. Europa issued an additional warrant for arrest, charging Moshir with criminal harassment, in violation of section 264(2) of the Criminal Code of Canada; breaking and entering, in violation of section 348(1)(a) of the Criminal Code of Canada; uttering threats, in violation of section 264.1(1)(a) of the Criminal Code of Canada; and arson with disregard for human life, in violation of section 433(a) of the Criminal Code of Canada. Moshir is wanted in Canada for prosecution for these offenses.

6. The aforementioned offenses provide a basis for extradition pursuant to Article 2 of the Treaty, which states, in pertinent part, that “[e]xtradition shall be granted for conduct which constitutes an offense punishable by the laws of both Contracting Parties by imprisonment or other form of detention for a term exceeding one year or any greater punishment.”

WHEREFORE, the undersigned complainant requests that a warrant for the arrest of the person named above be issued in accordance with Title 18, United States Code, Section 3184, and the Extradition Treaty between the United States and Canada.


MARIE P. GRISANTI
Assistant United States Attorney

Sworn to before me this 29th
day of June, 2016, at Buffalo, New York

AND A WARRANT SHALL SO ISSUE.

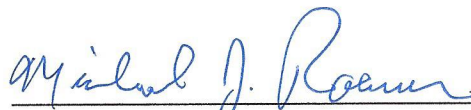

MICHAEL J. ROEMER
United States Magistrate Judge

EXHIBIT A

Photograph of Ali MOSHIR

